

SENATE BILL 628

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R5
HB 73/03 - ENV

2004 Regular Session
4r0261
CF 4r0260

By: **Senator Giannetti**

Introduced and read first time: February 6, 2004

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Overtaking and Passing Vehicles**

3 FOR the purpose of providing that on a roadway that has two or more lanes for traffic
4 moving in the same direction a vehicle being overtaken in the far left lane shall
5 give way to the right in favor of the overtaking vehicle under certain
6 circumstances; providing certain exceptions; making a certain stylistic change;
7 and generally relating to the overtaking and passing of vehicles.

8 BY repealing and reenacting, with amendments,
9 Article - Transportation
10 Section 21-303
11 Annotated Code of Maryland
12 (2002 Replacement Volume and 2003 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Transportation**

16 21-303.

17 (a) Except as otherwise provided in this subtitle, this section governs the
18 overtaking and passing of vehicles going in the same direction.

19 (b) The driver of a vehicle overtaking another vehicle that is going in the same
20 direction shall pass to the left of the overtaken vehicle at a safe distance.

21 (c) The driver of a vehicle overtaking another vehicle that is going in the same
22 direction, until safely clear of the overtaken vehicle, may not drive any part of [his]
23 THE DRIVER'S vehicle directly in front of the overtaken vehicle.

24 (d) (1) Except when overtaking and passing on the right is permitted, the
25 driver of an overtaken vehicle, on audible signal, shall give way to the right in favor
26 of the overtaking vehicle.

1 (2) (I) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (1) OF
2 THIS SUBSECTION, ON A ROADWAY THAT HAS TWO OR MORE LANES FOR TRAFFIC
3 MOVING IN THE SAME DIRECTION, WHEN SAFE AND PRACTICABLE, THE DRIVER OF A
4 VEHICLE BEING OVERTAKEN IN THE FAR LEFT LANE SHALL GIVE WAY TO THE RIGHT
5 IN FAVOR OF AN OVERTAKING VEHICLE.

6 (II) THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH
7 DO NOT APPLY TO:

8 1. A VEHICLE IN THE FAR LEFT LANE PREPARING FOR A
9 LEFT TURN; OR

10 2. A VEHICLE IN A HIGH OCCUPANCY VEHICLE LANE IF:

11 A. THE HIGH OCCUPANCY VEHICLE LANE IS A SINGLE LANE
12 MOVING IN ONE DIRECTION; AND

13 B. THE HIGH OCCUPANCY VEHICLE RESTRICTIONS ARE IN
14 EFFECT.

15 (e) Except when overtaking and passing on the right is permitted, the driver
16 of an overtaken vehicle, until completely passed by the overtaking vehicle, may not
17 increase the speed of his vehicle.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
19 effect October 1, 2004.